

Proposed Charter Commission Amendments
(Updated 2-23-06, per 2-22-06 meeting)

	Description	In Favor	Not in Favor
	RELATING TO COUNTY COUNCIL		
1.1	<u>Limit terms</u> : limit to 4 (2 year) terms (BR)		
1.2	<u>Districting</u> : 3 members elected by district (using State House district boundaries), 4 at-large members, and all 7 elected at large. (BR/GN/GT)		
1.3	Change term of office from two to four years. (GN)		
1.4	Three term limit max (for total of 12 years). (GN)		
1.5	Specify that as to those powers where exercise of the authority is to be obliged, the elected officials have the duty to act to perform the function mandated. If there is no duty established then there are no sanctions for failure to perform. (LA)		
1.6	<u>Members/districting etc.:</u> 5-full time, paid members. 3 members elected by district (using State House district boundaries), 2 at-large members, all 5 elected at large. Residence required in district. Vacancies filled from the district. (LM)		
1.7	<u>Districting</u> : Effective 2008, <i>shall there be seven (7) Council members who are selected by all voters, with one member residing in each of five(5) districts, which shall be established by an apportionment commission to be appointed in 2007, and two (2) members elected at-large, and shall 2011 and every tenth year thereafter be a reapportionment year?</i> (LA)		
1.8	Effective 2008, shall the service of all council members be as full time positions with members prohibited from other gainful pursuits. (LA)		
1.9	To have council members recuse themselves from discussion, and/or vote on an issue where they have a conflict of interest. Further that council members put on record when they may have a		

	conflict of interest on an issue. (LA)		
1.10	Except for the purpose of investigative inquiries under 3.17, the council or its members, in dealing with the staff, employees and officials of the Office of the Prosecuting Attorney, shall deal solely through the Prosecuting Attorney, and neither the council or its members shall give orders to any such employee or officer either publicly or privately. Any willful violation of the provisions of this section by a member of the council shall be sufficient grounds for an action for his or her removal from office (LA)		
1.11	Change language in 3.12 A (Financial Audit every 2 years) where council shall request first of the State Auditor to accept their audit request, as having filled the requirements of this section, otherwise, if declined by the State Auditor, the Council shall proceed with an independent audit by certified CPA's		
1.12	Clarify that the County Council is responsible for Balancing the Budget and not the Finance Dept or Mayor (3.10) (LA)		
1.13	Shall effective for the 2008 election no candidate be permitted to seek election to the County Council who has served more than ten consecutive years as a member of the Council. (LA)		
1.14	Shall the Council cause all Ordinances, Resolutions, Communications and Journals be published on the Counties web site (LA)		
1.15			
1.16			
	RELATING TO BOARDS & COMMISSIONS (Articles relating to General Provisions & Charter Amendments)		
2.1	<u>Salary Commission</u> : Salary Commission's recommendations are effective unless vetoed by super majority of Council. (City & County of Honolulu methodology) (GN)		
2.2	Establish Commission Administrator/Coordinator		

2.3	Minimum of 7 members for all Boards and Commissions		
2.4	Change to staggered terms for all Boards and Commissions (excluding Charter Commission) (BR)		
2.5	Revise all Boards and Commissions to (7) members (GT)		
2.6	Create an Office of Commission Administrator (GT)		
2.7	All members of all Boards and Commissions shall be appointed by the Mayor and approved by Council (MB) (BR)		
2.8	<u>Police Commission:</u> Increase to 7 members; 3 appointed by mayor, 3 appointed by council and the 7 th by the other 6. Staggered terms. (LM)		
2.9	Change Cost Control Commission to <u>Revenue</u> and Cost Control Commission (BR)		
2.10	Create new Fire Commission who would hire and fire the Fire Chief.		
2.11	Shall the recommended salaries of council members proposed by the salary commission be implemented at the beginning of the next fiscal year unless rejected by 5 of the 7 council members. (LA)		
2.12	<i>Shall there be an Office of Commission Administrator that shall create, maintain and archive records, agendas and minutes of Commission and Board Meetings?</i>		
2.13	<i>Shall there be a Commission Administrator, appointed by the Mayor, who recruits candidates for appointment by the Mayor and who trains appointees to Commissions and Boards?</i>		
2.13	Shall the Charter Commission become a permanent commission with staggered terms (LA)		
	RELATING TO A PARKS DEPARTMENT		
3.1	Establish separate Parks Department (BR) (MB)		
3.2	Creating a new Parks and Recreation Department headed by a cabinet level manager (GT)		
3.3			
	RELATING TO PUBLIC WORKS		

4.1	<u>County Engineer</u> : Remove licensing requirement for County Engineer (GN)		
4.2	<u>County Engineer</u> : Change to Director of Public Works but do not change licensing requirement.		
4.3			
	RELATING TO TAXING, SPENDING, BUDGETING		
5.1	Shall effective for the fiscal year commencing July 1, 2007 the amount of the Kauai County operating budget be limited to being not greater than the sum of the operating budget for the preceding fiscal year plus a percentage thereof equal to the average annual increase in the population of Kauai as measured by the two most recent Federal census data and plus a percentage thereof equal to the greater of the increase in the Consumer Price Index in Honolulu during the preceding twelve months or the increase provided for average hourly wages in the collective bargaining agreement covering the most Kauai County employees during such twelve months, and shall expenditures by the County for operating costs greater than such limit be prohibited. (LA)		
5.2	Create Real Property Tax Division as stand alone division (GT)		
	RELATING TO INITIATIVE, RECALL		
6.1	Reduce requirement of each initiative and referendum from 20% to no more than 5% of registered voters (GT) (BR)		
6.2	Change title to RELATING TO INITIATIVE, REFERENDUM AND RECALL (MB)		
6.3	Reduce signature requirement for petitions from 20% to 10% (MB)		
6.4	<u>Removal from office</u> As per Hawaii County Charter states, “Any council member may be removed by impeachment or recall proceedings as provided by this charter.” (LM)		
6.5	Should the power of voters to recall apply to the Council as well as the Mayor (LA)		

6.6	Basic requirements for all petitions – its committee, the statement of the matter to be presented, and the signature and identification of the citizen (LA)		
6.7	a petition containing the acts or failures to act believed to be grounds for impeachment signed by at least 100 citizens and voters be filed with the Board of Ethics and if the Board finds the charges to be sufficient for the Board to file with the Circuit Court. (LA)		
6.8	Shall all citizen petitions require 5% of registered voters to be placed on the ballot (LA)		
6.9	elimination of Section 22.02 which contains limitations on initiative and referendum powers and the extension of coverage of Section 27.01 to allow recall of officers serving two year terms. The present provisions unduly restrict the exercise of these citizens powers. (LA)		
	RELATING TO A COUNTY MANAGER		
7.1	Change to a County Manager form of government		
	Shall a special Commission be created whose task is to place a county manager proposal on the ballot in 2008 (LA)		
	RELATING TO COUNTY ATTORNEY		
8.1	Shall the County Attorney be elected – 4 year term (LA)		
8.2	Shall the County attorneys office be required to publish on the County’s web site all “County Attorney’s Opinions”? (LA)		
	RELATING TO CHARTER AMENDMENT		
9.1	Establish a permanent commission with same terms as other Boards and Commissions (MB)		
9.2			
10.0	RELATING TO THE PROSECUTING ATTORNEY		
10.1	Expand duty in 9A.03B to add “enforce” and prosecute offenses against the laws of the State under the authority of the Attorney		

	General of the State. (LA)		
10.2			
11.0	RELATING TO POWERS OF THE COUNTY		
11.1	Shall all county officials and agencies act in accordance with the State Sunshine laws – HRS 92-1 (LA)		
11.2			
	RELATING TO EXECUTIVE BRANCH		
12.1	To include whistleblower provision (LA)		
12.2	Concurrent jurisdiction problems. Where does jurisdiction of the Chief lie, with the Mayor or Police Commission. Is the police department an “except as otherwise provided” under this section. (LA)		
12.3	Shall only the Department Director be allowed to appoint the Deputy Director (LA)		
12.4			